REMARKS

Applicant is in receipt of the Office Action mailed on July 5, 2006. Claims 1-27 were pending in the application. Claims 1-27 have been cancelled. Claims 28-48 have been added. Accordingly, claims 28-48 are pending in the application.

The Examiner rejected claims 1–27 under 35 U.S.C. §102(a) as being anticipated by Cane et al., (U.S. Patent Publication No. 2003/0135524). In view of the cancellation of claims 1-27, the rejection is believed moot.

Regarding claim 28, Applicant respectfully submits that Cane does not teach or suggest the following language of that claim:

> ...for each of said plurality of e-mail messages:
>
> if a current one of the plurality of e-mail messages includes an attachment:
>
> ...
>
> storing the current e-mail message and the extracted metadata on the storage medium without the attachment....

Cane refers to "datasubgroups 120, 122" that "are an email and associated attachment," respectively. *See* Cane, ¶[0076]. In contrast to claim 28, Cane teaches a method in which

> ...the computer 12 can store the data subgroups 120 ["email"], 122 ["attachment"] into more permanent storage, and perform common file elimination on the stored groups and/or files collectively.
>
> *See* Cane, ¶[0079]; Fig. 7, emphasis added.

Thus, Cane does not appear to teach or suggest "for each of said plurality of e-mail messages...storing the current e-mail message...without the attachment" as recited in claim 28 (emphasis added).

Furthermore, there is no teaching or suggestion in Cane of "extracting metadata from the current e-mail message; buffering the extracted metadata in a corresponding

entry in a data structure." Neither does Cane disclose or suggest "wherein a given entry in said data structure corresponds to a given attachment, and wherein said given entry includes metadata corresponding to one or more of said plurality of e-mail messages that include said given attachment," as recited in claim 28. In fact, a word search of Cane does not reveal a single instance of the term "metadata."

Regarding claim 29, Applicant respectfully submits that Cane certainly does not teach or suggest "after said backing up said plurality of e-mail messages to the storage medium, for each entry in said data structure, subsequently storing, to the storage medium, only one instance of the attachment corresponding with the entry, along with corresponding metadata" (emphasis added).

Regarding claim 36, Cane does not appear to teach or suggest a method including "reading the metadata stored with the current e-mail attachment." Neither does Cane teach or suggest "buffering the metadata," since Cane does not refer to "metadata."

Regarding claim 37, Cane does not appear to teach or suggest "after said restoring the plurality of e-mail messages from the storage medium, for each entry in the data structure, subsequently restoring one copy of the attachment for each of the plurality of e-mail messages having metadata included in the entry" (emphasis added).

Regarding claim 38, Applicant can find no teaching or suggestion in Cane of "storing each of said plurality of e-mail messages to a sequential backup medium without any attachments; after storing said plurality of e-mail messages, subsequently storing, to said sequential backup medium, only one instance of any attachments" (emphasis added). In fact, a word search of Cane does not reveal any instances of the term "sequential backup medium."

Claim 39 is believed patentably distinct over Cane for reasons similar to those given for claim 27.

For at least the reasons provided above, Applicant respectfully submits that claims 27, 36, 38 and 39, along with their respective dependent claims, patentably distinguish over Cane.

Applicant also submits that numerous other dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown

to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5760-15700/DMM.

Respectfully submitted,

Date: October 5, 2006

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